

REMARKS

This Amendment is submitted in response to the official action dated August 6, 2008. The claim amendments included herein are merely clarifying amendments and are not meant to change the intended scope of the claims. Thus, the amendments present the rejected claims in better form for consideration on appeal, and they should be entered in due course. Moreover, the amendments are manifest, requiring only a cursory review by the Examiner, thereby providing additional ground for their entry.

Claims 1-11, 49-63, 87-92, and 94-96 were pending in the application. In the official action, claims 1-11, 49-63, 87-92, and 94-96 were rejected. In this Amendment, claims 1, 11, and 49 have been amended. Claims 1-11, 49-63, and 87-92, and 94-96 thus remain for consideration.

Applicants submit that claims 1-11, 49-63, 87-92, and 94-96 are in condition for allowance and request withdrawal of the rejections in light of the following remarks.

§102 Rejections

Claims 1-11, 49-63, 87-92, and 94-96 were rejected under 35 U.S.C. §102(b) as being anticipated by Daggar (U.S. Patent No. 5,748,737).

Applicants submit that independent claims 1, 11, and 49 are patentable over Daggar.

Applicants' invention as recited in claims 1, 11, and 49 is directed toward a data reproducing apparatus and a data reproducing method. Each of claims recites that reproduction "right data" is updated or changed upon reproduction of "contents data," and that the right data is updated or changed according to "subordinate data" which corresponds to the contents data. Each of the claims further recites that the subordinate data includes "a reproduction conditions label," and

that "said reproduction conditions label identify[ies] a charge type among the charge types of buying type, gross type and degree type, and respectively specify[ies] the charge conditions." Supporting disclosure for the emphasized recitation can be found in the specification at, for example, page 31, line 18 - page 32, line 12.

Daggar does not disclose the emphasized recitation. Accordingly, Applicants believe that claims 1, 11, and 49 are patentable over Daggar on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicants believe that dependent claims 2-10, 50-63, 87-92, and 94-96 are patentable over Daggar for at least the same reasons as discussed in connection with the independent claims.

Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

By 
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